

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

FUEL CLOTHING COMPANY, INC.,

Plaintiff,

v.

SAFARI SHIRT COMPANY d/b/a FUEL CLOTHING
COMPANY, INC.,

Defendant.

CASE NO. 05-5366 RJB

**DEFENDANT'S STIPULATED MOTION AND
ORDER TO CHANGE VENUE**

NOTE ON MOTION CALENDAR: JULY 27, 2005

Come Now Defendant Safari Shirt Company d/b/a Fuel Clothing Company, Inc. (*"Defendant"*) by and through the law firm of Saalfeld Griggs PC its attorney and hereby requests that this case be transferred from the Western District of Washington to the United States District Court in the District of Oregon, Portland Division, for convenience pursuant to 28 USC §1404(a).

Opposing counsel hereby agrees, consents and stipulates to change of venue and transfer of this case to the District of Oregon. The parties acknowledge that the Plaintiff is located in South Carolina and the Defendant is located in Oregon, and that Oregon is a more convenient forum for this action. Furthermore, for convenience of transportation, the parties agree that the case should be transferred to the Portland Division in the District of Oregon.

The parties acknowledge that Defendant is located in the Eugene Division of the District of Oregon, pursuant to District of Oregon Local Rule 3.3. However, upon motion of either party,

1 a case can be reassigned to any other appropriate division in the District of Oregon pursuant to
2 Local Rule 3.4. The parties acknowledge and agree that it is more appropriate and convenient to
3 transfer the case to the Portland Division of the District of Oregon.

4 Based on the above, Plaintiff and Defendant hereby stipulate that venue is more
5 convenient for both parties in the District of Oregon, Portland Division, and transfer of this case
6 to the District of Oregon, Portland Division, is proper under 28 USC §1404(a). Plaintiff has
7 consented to the form of this motion, and has authorized Defendant's counsel to sign this motion
8 on their behalf. The parties hereby request that the above-entitled action be transferred to the
9 United States District Court in the District of Oregon, Portland Division.

10 DATED this 27th day of July, 2005.

11 PRESENTED BY:

12 SAALFELD GRIGGS PC

13
14 By s/
15 ERICH M. PAETSCH, WSB No. 34033
16 Attorney for Defendant
17 Trial Attorney
18 Email: epaetsch@sglaw.com
19 Fax: (503) 371-2927

20 IT IS SO ORDERED:

21 Dated this 28th day of July, 2005

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23 ROBERT J. BRYAN
24 United States District Judge
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